

Courts may only consider federal habeas petitions under 28 U.S.C. § 2254 on grounds that the petitioner is in custody in violation of the Constitution or federal laws. See 28 U.S.C. § 2254(a); *Preiser v. Rodriguez*, 411 U.S. 475, 484–87 (1973). Claims premised on alleged

constitutional violations that do not challenge a prisoner's custody may not be raised in a habeas action. Petitioner filed this habeas lawsuit under section 2254, raising violations of an alleged due process right to receive federal economic stimulus payments. His claims do not challenge the validity of his imprisonment, and the granting of relief on his claims would not require or accelerate his release from prison. Consequently, no cognizable habeas claim has been raised, and this habeas petition must be dismissed without prejudice to petitioner's seeking relief in an appropriate court of proper jurisdiction.

The petition is **DISMISSED WITHOUT PREJUDICE** for failure to state a cognizable federal habeas claim for relief. Any and all pending motions are **DENIED AS MOOT**. A certificate of appealability is **DENIED**.

Signed at Houston, Texas, on JUL 07 2021.

A handwritten signature in black ink, appearing to read 'AHB', is written over a horizontal line.

ALFRED H. BENNETT
UNITED STATES DISTRICT JUDGE